

REMARKS/ARGUMENTS

The examiner has objected to claim 1 and claim 20 due to punctuation errors that have been corrected in the currently amended claims.

The examiner has rejected claim 1 and claim 13 as being indefinite under 35 U.S.C. §112. These claims have been amended to remove the objectionable language and add text that more distinctly claims embodiments of the present invention.

The examiner has rejected claims 1, 2, 3, 7, 8, 12 & 20-23 under 35 U.S.C. §102(e) as being anticipated by Sivan et al, U.S. Patent No. 6,281,874. However, this rejection is improper in that it fails to present a prima facie case of anticipation. Sivan et al teach a method whereby a pair of image files are stored for any particular image. One is a low resolution image, the other is a high resolution image. When an image is desired, the low resolution image is sent to the requesting client and the user is allowed to select a geometric area on that image for viewing at a higher resolution. The selection is transferred to the server, which then serves the high resolution version of the selected area of the image.

Sivan et al may be distinguished from embodiments of the present invention in several ways. Sivan et al require the storage of two image files of different resolution for each stored image. This requires additional storage capacity and computational overhead for serving the combination of files. Also, Sivan et al do not teach parsing of the image file to obtain a customized image of any type. Sivan et al simply teach identification of an image area on a low-resolution image and serving up that portion of the corresponding high resolution image. Using the method taught in Sivan et al, two image files must be sent, thereby creating a redundant transmission of data. The low resolution portion of the selected area of the image is actually sent

twice. Firstly, in the low resolution file and secondly, in the high-resolution file. Embodiments of the present invention build upon the primary low resolution image by adding higher resolution data to the primary image that has been parsed from a single high-resolution file. This process eliminates redundant transmissions and obviates the need for additional image file storage.

Claim 1 comprises the act of “parsing said image file on said server to determine a representative part of said image.” Under the methods of this claim, an image file is parsed to obtain a representative part, which is transmitted to a client. This process is not taught by Sivan et al. The examiner cites Sivan et al (Summary, col. 7, line 20 – col. 8, line 25 and figure 1) as disclosing this element, however, Sivan et al, at these locations, describes in detail a very different method employing two image files of differing resolution, which are served to a client. Claims 2-12, dependent on claim 1, also contain, by dependency, the distinct “parsing” element that is not found in Sivan or other cited prior art. Accordingly, claims 1-12, as amended, are considered allowable.

Claim 20 also comprises a “parser on said server for parsing said image file,” which is not taught in Sivan et al. Claim 21 comprises “a reader/parser for reading and parsing said image file.” Claim 22 comprises “reading and parsing said image file.” Claim 23 comprises “reading and parsing said image file.” Each of these claims comprises an element for “parsing” an image file, which is not found in Sivan et al or other cited prior art. Accordingly, these claims are patentable in view of cited prior art.

The examiner has rejected claims 4, 6 & 9 under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Li, J. et al (ISO/IEC JTC1/SC29/WG1 N1473). This rejection relies on the prior section 102 rejection of claims 1, 2, 3, 7, 12 & 20-23 while citing Li et al as teaching

selection of resolution and ROI data as well as streaming. However, since this rejection relies on Sivan as teaching “parsing” of an image file, this rejection does not present a prima facie case of obviousness. Furthermore, Li et al teaches some aspects of streaming and the JPEG 2000 file structure, but does not teach parsing of the image file, which is an element of claims 4, 6 & 9 by virtue of dependency on claim 1.

The examiner has rejected claims 5, 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Duhault et al (US Pat. No. 5,900,868). Again, this rejection relies on Sivan et al as teaching the “parsing” element, which is not the case. Consequently, this rejection is improper as it fails to present a prima facie case of obviousness. Furthermore, Duhault et al teach the use of thumbnail images to represent video data received on a video channel. Multiple thumbnail images are used to represent multiple video channels. However, Duhault et al do not teach the use of thumbnails derived from parsing an image file as claimed in claim 13, as amended. Claim 14 has been cancelled. Claims 15-19, dependent on claim 13, are also patentable for the reasons stated in relation to claim 13.

Claims 10 and 11 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Li et al. This rejection fails to present a prima facie case of obviousness as it relies on Sivan et al to teach the parsing element, which is not taught in Sivan et al. Consequently, these claims are allowable in their current form.

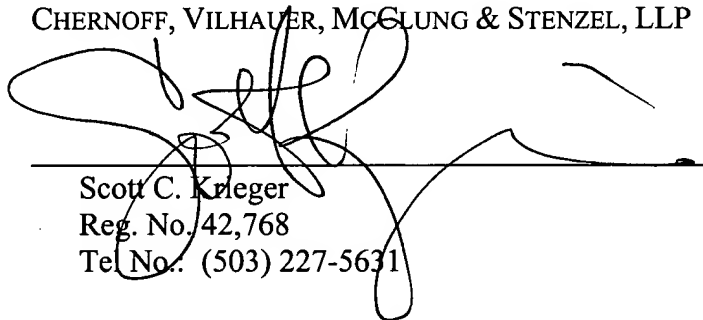
Claims 17 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sivan et al in view of Duhault et al. This rejection fails to present a prima facie case of obviousness as it relies on Sivan et al to teach the parsing element, which is not taught in Sivan et al. Consequently, these claims are allowable in their current form.

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In light of the arguments above, all claims are considered to be novel, non-obvious and patentable in view of the cited art. Applicant respectfully requests that the Examiner promptly allow these claims and proceed with issuance of this application. The Examiner is invited to contact applicant's attorney directly for any reason.

Respectfully submitted,

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